

VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]

Adopted and Filed

Rule making related to county of residence upon discharge

The Commission on Veterans Affairs hereby amends Chapter 10, “Iowa Veterans Home,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 35D.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2018 Iowa Acts, House File 2445.

Purpose and Summary

An amendment is required due to the enactment of House File 2445 during the 2018 Legislative Session. This rule making updates wording regarding county of settlement.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 27, 2019, as **ARC 4370C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on July 10, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to rule 801—4.14(17A,35D).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on September 4, 2019.

The following rule-making action is adopted:

Amend rule 801—10.41(35D) as follows:

801—10.41(35D) County of ~~settlement~~ residence upon discharge. A member does not acquire legal ~~settlement~~ residency in Marshall County, the county in which IVH is located, unless the member is voluntarily or involuntarily discharged from IVH, ~~continuously resides in the county for a period of one year subsequent to the discharge and during that year is not readmitted to IVH and does not receive any services from IVH~~ and the member meets county of residence requirements. For purposes of this rule, “county of residence” means the same as defined in Iowa Code section 331.394.

[Filed 7/10/19, effective 9/4/19]

[Published 7/31/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/31/19.